

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Stephanie Williams,

Plaintiff,

vs.

United Cerebral Palsy of Georgia, Inc.; United
Cerebral Palsy of South Carolina, Inc.; and
Senior Resources, Inc.

Defendants.

C/A No. 3:13-cv-02779-JFA

ORDER

In this matter, Stephanie Williams (“Plaintiff”) has sued United Cerebral Palsy of Georgia, Inc., and United Cerebral Palsy of South Carolina, Inc. (“Defendants”), alleging breach of contract, and violations of the South Carolina Payment of Wages Act, S.C. Code Ann. § 41–10–10 *et seq.*, and the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*

On October 14, 2013, Defendants filed a motion to dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, ECF No. 5, which Plaintiff opposed. ECF No. 10. After holding a hearing, the court granted the motion in a written order on January 17, 2014, dismissing the complaint without prejudice. ECF No. 19. Plaintiff filed her amended complaint on February 6, 2014, ECF No. 21, and Defendants responded by filing the Rule 12(b)(6) motion currently before this court. ECF No. 24. Plaintiff opposes the motion. ECF No. 26.

Having carefully assessed the amended complaint and the parties’ arguments in their briefs, the court finds that it already considered the same facts and allegations when ruling on the original complaint and, therefore, incorporates its January 17, 2014, order here without recitation. Because Plaintiff has failed to state any claims upon which relief

can be granted, the court hereby grants Defendants' motion and dismisses Plaintiff's complaint with prejudice. Plaintiff has seven days from the date of this order to notify the court of whether she intends to serve Senior Resources, Inc., the remaining defendant named in the complaint. After those seven days, the court will close the case.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

March 31, 2014,
Columbia, South Carolina

Joseph F. Anderson, Jr.
United States District Judge